

REMARKS

Priority document

A certified copy of United Kingdom Patent Application No. 9920394.5 from which priority is claimed will follow in due course.

Drawings

The Examiner's objection to the drawings as failing to comply with 37 C.F.R. 1.84(p) (5) has been noted. However, appropriate amendments have been made to pages 6 and 7 of the specification which, it is believed, obviate the necessity for drawing corrections.

Abstract of the Disclosure

An amended Abstract is attached as a separate page, with the spelling adapted to customary U.S. spelling.

Specification

The amendments to the specification are put forward to incorporate section headings provided for in 37 C.F.R. 1.77(b).

A new descriptive title of the invention is put forward, as suggested by the Examiner.

Amendments are put forward to adapt the spelling throughout the specification to customary U.S. spelling.

Pending Claims

Claims 3-9 and 11-15 are pending in this application, claims 1-2 and 10 having been cancelled without prejudice and claim 15 having been added. The prior pending claims have been extensively amended, claim 1 having been rewritten as new claim 15, and reconsideration is requested.

Claim Rejections – 35 U.S.C. 112

The Examiner's detailed consideration of the claim wording has been noted and is appreciated. In order to overcome the Examiner's objections under this heading to claim 1, this claim has been rewritten (as new claim 15), and claim 1 has been cancelled without prejudice. Claim 15 is now directed to the combination of a frame defining a window opening having a corner and a window glass sealing and guiding channel arrangement mounted on the frame. In view of this, and the other changes to the claim wording (as compared with original claim 1), it is believed that the Examiner's objections to claim 1 under this heading do not apply to claim 15.

The second independent claim (claim 9) has been extensively amended, in line with the changes made to claim 15 (as compared with original claim 1), and it is believed that these amendments overcome the Examiner's objections under this heading to claim 9.

Dependent claims 2 and 10 have been cancelled without prejudice and the rejections to those claims thus also become moot.

The remaining dependent claims having been amended to take account of the new independent claim 15. It is believed that the rejection of these claims under this heading are also overcome.

Claim Rejections – 35 U.S.C. 103(a)

The Examiner has rejected claim 1 as being unpatentable over U.K. Patent Publication 2 311 799 in view of Christian (United States Patent No. 5,493,814). As stated above, claim 1 has been replaced by new claim 15. As the Examiner states in relation to claim 1, U.K. Patent Publication 2 311 799 is silent concerning the third side wall specified in claim 1. New claim 15 also specifies this third side wall. The Examiner says that Christian discloses a window sealing and guiding channel comprising a second side wall having a lip and also a third side wall having a lip – and argues that it would be obvious to one of ordinary skill in the art to provide U.K. patent publication 2 311 799 with a second and third wall configuration as taught by Christian.

However, this is respectfully but strongly contested. In the first place, the third side wall in the invention has a distal edge carrying a lip. The Examiner suggests that wall 42 of Christian forms a "third side wall". However, the wall 42 in Christian does not have a distal edge but is simply part of a wall surrounding a hollow chamber 44. More specifically, though, the invention of new claim 15 (like claim 1) is concerned with the formation of a corner in a window glass sealing and guiding channel arrangement, and involves the removal of part of the channel arrangement in the region of the corner and its replacement with a specially shaped insert (as defined in claim 15). A major purpose of the "third side wall" of the invention is to substantially overlie this insert and thus obscure it from external view. A person skilled in the art could not be taught to provide such a third side wall for this purpose by Christian. Such a skilled person would not see a third side wall from the teaching of Christian and still less would such a person envisage or be taught the possibility of using a third side wall to overlie an insert of the type specified in claim 15.

The second independent claim (claim 9) has also been rejected as being unpatentable over U.K. Patent Publication 2 311 799 in view of Christian (United States Patent No. 5,493,814). Claim 9 (like claim 15) is also concerned with the formation of a corner in a window glass sealing and guiding channel arrangement, and involves the removal of part of the channel arrangement in the region of the corner and its replacement with a specially shaped insert (as defined in the claim). Like claim 15, claim 9 also specifies the third side wall (and the other side walls) of claim 15. The remarks made above concerning the patentably distinct features of this third side wall (as compared with the teaching of U.K. Patent Publication 2 311 799 in view of Christian) apply equally here.

It is therefore respectfully submitted that new claim 15 and amended claim 9 are patentable over U.K. Patent Publication 2 311 799 in view of Christian. Claims 3-6, 8 and 11-14 are dependent, directly or indirectly, on new claim 15 and are believed to be patentable along with that claim.

The Examiner's rejection of claim 7 as being unpatentable over U.K. Patent Publication 2 311 799 in view of Christian (United States Patent No. 5,493,814) and further in view of Kawai (United States Patent No. 6,185,869) is respectfully traversed. Claim 7 is dependent on claim 15 and is thus patentable over the U.K. patent publication in view of Christian for the reasons stated above. Nothing shown or taught by Kawai can adversely affect that patentable distinction. In fact, Kawai tends to emphasize the patentable distinction

of claim 7. In Kawai, the molded insert replaces the whole of the channel at the corner. In the invention of claim 7 (and the invention of the other claims), the insert replaces only part of the channel – the channel lip portions being preserved, two of them bridging across the corner and the insert being specially shaped to extend to and to be secured to the lip portions where they bridge across the corner. Thus, Kawai would tend to teach the skilled person away from the invention of claim 7. Thus, claim 7 is also patentably over the cited prior art.


Thus, all the claims now in the application are believed to be patentable over the cited art applied thereto.

The prior art made of record and not relied upon has been studied but is not believed to need specific comment.

Conclusions

In summary, claims 3 – 9 and 11 – 15 are in the application and are all believed to be allowable for the reasons stated. In view of the foregoing remarks, the application is considered to be in good and proper format for allowance, and the Examiner is respectfully requested to pass the application to issue. If, in the opinion of the Examiner, a telephone conference would expedite the prosecution of the application, the Examiner is invited to call the undersigned attorney.

Respectfully submitted,



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